

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Jae-Hoon KIM

Application: 10/523,797

Group Art Unit: 2435

Filed: February 8, 2005

Examiner: Schwartz, Darren B

For: Method And System For Processing Password Inputted By the Matching of Cells

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT OF NOVEMBER 6, 2008

Sir:

In response to the Office Action mailed on November 6, 2008, Applicants provisionally elect Species I directed to claims 21-32 and 40 with traverse.

Applicants respectfully disagree with the restriction between Species I, II and III. In the Office Action, the Examiner alleges the following:

Species I: Claims 21-32 and 40 associate with Figure 14.

Species II: Claims 33-38 associate with Figure 43 [page 75] [paragraph 221].

Species III: Claim 39 associates with Figures 26 & 27 [page 34-35] [paragraph 147].

However, Applicants assert that Species I, II and III are all variants of each other, and a search for the limitations as recited in independent claim 21, for example, would also necessitate a search for the limitations as recited in independent claims 33 and 39.

More specifically, independent claim 1 recites "[a] method of inputting a password for authentication, the method comprising displaying a matching board comprising a certain cell and a reference board comprising a cell on a user interface, and receiving the password corresponding to the certain cell of the matching board matched by a user with the cell of the reference board

comprising a password symbol, to authenticate the received password.” This is a generic claim which encompasses Species II and III, since all three Species (i.e., independent claims 1`, 33, and 39) are all directed to methods of inputting a password for authentication using cell matching techniques.

In addition, FIGS. 26 and 27 are defined on page 10 of Applicants’ specification as “another example of a first embodiment of the present invention,” and FIG. 43 is defined on page 13 of Applicants’ specification as “a view of a user interface in a main system according to an embodiment of the present invention.” In other words, contrary to the Examiner’s assertions, Species II is not directed to a system as illustrated in FIG. 43, but is instead directed to “a method of inputting a password for authentication.” Also, Applicants submit that even if Species III could be represented by FIGS. 26 and 27, Species III remains a variant of Species I since FIGS. 14, 26 and 27 are all directed to a first embodiment of the present invention. See page 10 of Applicants’ specification.

Furthermore, the Examiner has not indicated what different classes and/or subclasses Species I, II, and III fall under. In fact, a US 2005/0246138 Publication to Park discloses a “Method and System for Processing Password Inputted By the Matching of Cells,” and is classified only in 702/189. As presently recited, Species I, II, and III are all methods of password authentication using a technique of cell-matching. Therefore, since Park’s Publication was classified under 702/189, it logically follows that Applicants’ invention would necessitate a search in the same class/subclass. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803, which states that: “if the search and examination of all the claims in an application can be made without serious burden, the Examiner must examine them on the merits, even though they include claims to independent or distinct inventions” (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Conclusion

It is respectfully submitted that a full and complete response has been made to the outstanding Office Action and, as such, there being no other objections or rejections, this application is in condition for allowance, and a notice to this effect is earnestly solicited.

Attorney Docket (Old): 49699
Attorney Docket (New): 12000.SMG.0370
Application Serial No. 11/516,669

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If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided below.

Respectfully submitted,

Dated: December 4, 2008

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